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| 09/729,664      | 12/04/2000  | Steven R. Kursh      | 2910.1000-001       | 6351             |

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EXAMINER

NOLAN, DANIEL A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2655

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/729,664

Applicant(s)

KURSH, STEVEN R. *PK*

Examiner

Daniel A. Nolan

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> . | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

(Note that as of October 1, 2002 a new **Art Unit 2655** was established that includes this application, and that this new AU number should be used in all future correspondence.)

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:
  - Item 111 (in figure 8) is not explained in the specification.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The abstract of the disclosure is objected to because it exceeds 150 words. Correction is required. See MPEP § 608.01(b).
3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is

requested in correcting any errors of which applicant may become aware in the specification, such as:

- "Available" is misspelled (page 12 line 8).
- "Beginning" is misspelled (page 16 line 18).
- "Permissioning" is not a word (page 6 line 3), and so requires some explanation.

The Examiner is proceeding with the understanding that following the word with the description, "*as determined by the rules-based permissioning system 5*" suffices to make the meaning clear.

### ***Claim Objections***

4. Claim 2 is objected to because of the following informalities:

- "wireless" is misspelled (1<sup>st</sup> line).

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Skinner et al, Tran & Kuroiwa et al**

7. Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skinner et al (U.S. Patent 6,185,514) in view of Tran (U.S. Patent 5,991,742) and further in view of Kuroiwa et al (U.S. Patent 5,960,063).

8. Regarding claims 1 and 8, particular to claim 1, Skinner et al (column 5 line 53) reads on the feature of *maintaining accounting data* while particular to claim 8, Skinner et al (column 5 line 54) reads on the feature of *maintaining accounting data of time & expenses on respective projects*.

- While the inventions of Skinner et al monitor account for voice recognition applications so would necessarily be aware of the capability, they do not mention employing this technology to separately provide accounting information for other applications. Tran (column 2 line 22 & column 10 lines 6-8) reads on the

common features of *using an automated voice interface to the database and obtaining from the received audible signals certain accounting data corresponding to the words spoken* and also (with 241 figure 4) reading on the feature of *prompting a user to enter accounting data*, enabling the feature of *the voice interface receiving audible signals indicative of words spoken by the user in response*.

It would have been obvious to a person of ordinary skill in the art of speech signal processing at the time of the invention to apply the method/teachings of Tran to the device/method of Skinner et al so as to enable “hands-free” operation.

- Where Tran does not mention that the voice input is *over a communication line*, Kuroiwa et al (1 in figures 1 & 2) reads on that feature, which would have made it obvious to a person of ordinary skill in the art of speech signal processing at the time of the invention to apply the method/teachings of Kuroiwa et al to the device/method of Skinner et al so as to avoid having to sit in the same room as the computer while entering data.
- Skinner et al (column 5 line 1) reads on the features of *providing a database for storing desired accounting data and storing the obtained certain accounting data in the database*.

Art Unit: 2655

- With particular reference to claim 1, Skinner et al (column 5 line 53) reads on the feature of *maintaining accounting data and storing the obtained certain accounting data in the database.*
- Particular to claim 8, Skinner et al (column 5 line 54) reads on the feature of *maintaining accounting data of time & expenses on respective projects* which also reads on the feature of *storing the obtained certain accounting data in the database to enable tracking & reporting of time, events & expenses corresponding to the obtained accounting data.*

9. Regarding claims 2 and 9; the claims are set forth with the same limits as claims 1 and 8, respectively. Where neither Skinner et al nor Tran mention that *the communication line is a wireless or land telephone network*, Kuroiwa et al (1 in figures 1 & 2) reads on that feature, which would have made it obvious to a person of ordinary skill in the art of speech signal processing at the time of the invention to apply the method/teachings of Kuroiwa et al to the device/method of Skinner et al so as to permit a degree of mobility while operating the system.

10. Regarding claims 3 and 10; the claims are set forth with the same limits as claims 1 and 8, respectively. Where Skinner et al does not mention that *the automated voice interface is computer implemented*, Tran (column 2 line 3) reads on this feature, which would have made it obvious to a person of ordinary skill in the art of speech signal processing at the time of the invention to apply the method/teachings of Tran to

Art Unit: 2655

the device/method of Skinner et al to avoid the delay of dictation and Transcription that is the only alternative to computerized speech recognition.

11. Regarding claims 4 and 11; the claims are set forth with the same limits as claims 1 and 8, respectively. Skinner et al (column 4 lines 58-63) reads on the feature of *automatically providing accounting data stored in the database to another user*.

12. Regarding claims 5 and 12; the claims are set forth with the same limits as claims 4 and 11, respectively. Skinner et al (column 4 lines 58-63) reads on the feature that *the step of automatically providing includes providing the accounting data as a function of predefined rules*.

13. Regarding claims 6 and 13; the claims are set forth with the same limits as claims 1 and 8, respectively. Skinner et al reads on the feature that *the desired accounting data includes length of time (as in column 5 line 8), dates (column 13 line 12), project identifier (column 5 line 18), type of expense (column 20 lines 4-5), and that the database stores desired accounting data in corresponding data fields (1706 in figure 17)*.



**Skinner et al, Tran, Kuroiwa & Cohen**

14. Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skinner et al in view of Tran and further in view of Kuroiwa and further in view of Sprague et al (U.S. Patent 4,949,187).

15. Regarding claims 7 and 14; the claims are set forth with the same limits as claims 1 and 8, respectively. Skinner et al does not mention providing reports remotely.

- Sprague et al (column 18 lines 12-15) provides the support for the capability (column 18 lines 49-50) that reads on the feature of *retrieving accounting data from the database using the automated voice interface* (of column 10 line 38).
- It would have been obvious to a person of ordinary skill in the art of speech signal processing at the time of the invention to apply the method/teachings of Sprague et al to the device/method of Skinner et al that would provide management status on a timely basis by eliminating the delay for scheduled paper report delivery.

***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Apostolopoulos ("Accounting Management In Communication Networks: Concepts And Architecture", Proceedings., Second IEEE Symposium on

Computers and Communications, July 1997) applies accounting practices to telecommunications, bringing in applied operations at the same time.

- Failenschmid ("Spoken Dialogue System Design-The Influence Of The Organizational Context On The Design Process", IEEE 4th Workshop on Interactive Voice Technology for Telecommunications Applications, September 1998) adopts SR technology in design/build applications, post-implementation analysis giving project management perspective.
- Kato (Japan Patent 2001-272987 A) maintains accounts of verbal album ordering.
- Colyer ("From Research to Reward: Challenges in Technology Transfer", International Conference on Software Engineering, January 2000) gives notice that the Applied Science & Technology will apply speech technology to existing applications.
- Cohen (U.S. Patent 4,949,187) keeps account of electronic purchases.
- Skinner et al<sup>914</sup> (U.S. Patent 5,963,914) automatically collects accounting information.

17. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Daniel A. Nolan at telephone (703) 305-1368 whose normal business hours are Mon, Tue, Thu & Fri, from 7 AM to 5 PM.

If attempts to contact the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To, can be reached at (703) 305-4827.

Art Unit: 2655

The fax phone number for Technology Center 2600 is (703) 872-9314. Label informal and draft communications as "DRAFT" or "PROPOSED", & designate formal communications as "EXPEDITED PROCEDURE".

Formal response to this action may be faxed according to the above instructions,

or mailed to:                      Box AF  
   Commissioner of Patents and Trademarks  
   Washington, D.C. 20231

or hand-delivered to:          Crystal Park 2,  
   2121 Crystal Drive, Arlington, VA,  
   Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office at telephone number (703) 306-0377.

Daniel A. Nolan  
Examiner  
Art Unit 2655

DAN/d

January 30, 2003

A handwritten signature in black ink, appearing to read 'Daniel A. Nolan', written over a horizontal line.

**DANIEL NOLAN  
PATENT EXAMINER**